

ITEM 5

Title: Appointments to
Outside Bodies Not
Exercising Executive
Functions 2012/13

North Tyneside Council Report to Outside Bodies Committee Date: 21 May 2012

Report from: Legal, Governance and Commercial Services

Report Author: Gary Petitjean, Democratic Services Officer (Tel: 0191 643 5317)

Wards affected: All

PART 1

1.1 Purpose:

This report sets out details of the Council's Outside Bodies which have non-executive functions and which require appointments for the 2012/13 Municipal Year.

1.2 Recommendations:

The Committee considers and determines the appointment of representatives to serve on non-executive outside bodies for the 2012/13 Municipal Year.

1.3 Information:

The Committee is requested to consider the appointment of representatives to serve on non-executive outside bodies for the 2012/13 Municipal Year. A schedule is attached at Appendix 1.

In relation to appointments to those bodies which have executive functions, the Cabinet on 14 May 2012 delegated authority to the Mayor to make such appointments in accordance with the Local Authorities (Arrangements for the Discharge of Functions) (England) (Amendment) Regulations 2001.

1.4 Decision options:

No alternative options are submitted for consideration. If appointments are not made, the Council will not be represented on the various bodies.

1.5 Reasons for recommended option:

Appointments would mean the Council is represented on the various outside bodies.

1.6 Appendices:

Appendix 1 - Schedule of Appointments to Outside Bodies Not Exercising Executive Functions 2012/13

Appendix 2 - Guidance Note in relation to Personal Liability of Members and Non-Elected Council Appointed Representatives

1.7 Contact officers:

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1.8 Background information:

The following papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report:

- Outside Bodies list
- Local Authorities (Arrangements for the Discharge of Functions) (England) (Amendment) Regulations 2001
- North Tyneside Council's Constitution

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The proposal does not have direct financial implications. However, the completeness of this list is important in recognising the extent of indemnity cover required and ensuring the recognition of all potential liabilities the Council is committed to.

2.2 Legal

The Outside Bodies Committee has the power to make appointments to outside bodies, on behalf of Council, which exercise executive functions (Article 6 of the Council's Constitution).

The appointment of a Member to an outside body may create liabilities for the Member (personally) and the Council (corporately). It is important that Members in the discharge of their responsibilities on outside bodies act in good faith and within the powers and responsibilities of the outside body. Members will normally be indemnified under the Council's adopted scheme of indemnification for any liabilities that flow from their appointment to an outside body. To ensure that Members benefit from the scheme of indemnity, Members should seek prompt advice from officers should they consider that they have any conflict of interest in discharging their duties on an outside body or if they are concerned that the body may be acting in a potentially unlawful way. A guidance note in relation to personal liability of members serving on outside bodies is attached to this report for Members' information.

2.3 Consultation/community engagement

Consultation has taken place with the Elected Mayor.

2.4 Human rights

There are no direct human rights implications arising from this report.

2.5 Equalities and diversity

The Council makes appointments to outside bodies which work within the requirements of equality legislation and, where applicable, the public sector equality duty.

2.6 Risk management

Any risks associated with appointing Council representatives to serve on outside bodies are set out in the guidance note attached to this report.

2.7 Crime and disorder

The Council makes appointments to outside bodies which seek to reduce crime and disorder.

2.8 Environment and sustainability

The Council makes appointments to outside bodies which seek to enhance and protect the local and national environment

Report author Gary Petitjean